

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

| | | |
|--|---|--------------------------------|
| PHILLIP ALLEN WING, |) | CV-05-99-BLG-RFC |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER ADOPTING FINDINGS |
| |) | AND RECOMMENDATIONS OF |
| YELLOWSTONE COUNTY |) | U.S. MAGISTRATE JUDGE |
| DETENTION FACILITY; CHUCK |) | |
| MAXWELL, SHERIFF, |) | |
| YELLOWSTONE COUNTY |) | |
| DETENTION FACILITY; LT. (FIRST |) | |
| NAME UNKNOWN) NEITS; NURSE |) | |
| FIRST NAME UNKNOWN) KYDLAND; |) | |
| NURSE FIRST NAME UNKNOWN) |) | |
| MICHAELS; NURSE FIRST NAME |) | |
| UNKNOWN) STEELE; NURSE (FIRST |) | |
| NAME UNKNOWN) DOUGHERTY; |) | |
| NURSE (FIRST NAME UNKNOWN) |) | |
| PACHEKO; NURSE (FIRST NAME |) | |
| UNKNOWN) OWEN; and JOHN DOE #1) |) | |
| |) | |
| Defendants. |) | |
| |) | |

On March 15, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends, pursuant to D. Mont L.R. 5.5(b), that Plaintiff's Complaint be dismissed for failure to keep the Court informed of his current address.

Plaintiff was advised in the Findings and Recommendation that he had twenty (20) days following the entry date reflected on the notice of electronic filing to deliver objections to prison

authorities for filing. Failure to object to a magistrate judge's findings and recommendation waives all objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999). Plaintiff did not object within the time allotted. However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After reviewing the record and the applicable law, this Court finds Magistrate Judge Anderson's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

Accordingly, **IT IS HEREBY ORDERED** Plaintiff's Complaint (*Doc. # 1*) is **DISMISSED**.

The Clerk of Court shall notify the parties of the making of this Order.

DATED the 6th day of April 2006.

/s/ Richard F. Cebull
RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE